

## Ask the US Embassy

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**Question:** I have been a Legal Permanent Resident of the United States for many years, but recently divorced my American citizen husband and returned to Jamaica to take care of my ailing mother. I had a non-immigrant visa for over 10 years, which was cancelled when my immigrant visa was issued. I am considering surrendering my Green Card and obtaining a new non-immigrant visa, but I have heard that the US Embassy does not look favorably upon people who abandon their permanent residency. What is the procedure for surrendering my Green Card, and will it affect my ability to get a non-immigrant visa to the United States?

**Answer:** You can come to the U.S. Embassy to surrender your Green Card, or permanent resident status, as well as apply for a non-immigrant visitor's visa, though these services are handled by two different offices within the U.S. Embassy. Below, we have outlined the procedures for both surrendering your residency and applying for a visa. Just like all other parts of your application, your previous permanent residency in the United States will be considered as the officer tries to determine your qualifications for a visa. Surrendering your Green Card does not positively or negatively affect your ability to obtain a non-immigrant visa, you should be prepared to discuss how you are tied to Jamaica after having resided in the U.S. It is important to note that anyone who currently holds Legal Permanent Resident (LPR) status *must* abandon that status before they will be eligible to obtain a non-immigrant visa.

### Process for Surrendering a Green Card

Anyone wishing to abandon their LPR status should come to the Embassy between the hours of 1:00 – 3:00 p.m. on Monday or Thursday and meet with a U.S. Citizenship and Immigration Services agent. No appointment is necessary, and the only things the applicant must bring to the Embassy are the Green Card they wish to surrender, and a secondary form of identification, such as a passport or driver's license, to verify their identity.

The USCIS agent will provide you with a blank form I-407 (Abandonment of Lawful Permanent Resident Status) that you can complete. There is no cost for the application form, nor is there a processing fee. At the time you submit your Form I-407, you will need to demonstrate that you:

- are abandoning your LPR status *willfully* and *voluntarily*; and
- understand that abandonment is *permanent* and *irrevocable*.

Once the agent is satisfied that the requirements have been met and you have submitted your application, you will no longer be a lawful permanent resident of the United States. You will receive a photocopy of the completed I-407, which will serve as your receipt. The completed Form I-407 must be presented with the all other necessary documentation if and when you apply in the future for a non-immigrant visa.

### **Visa Application Process**

Anyone who surrenders their Green Card is eligible to obtain a non-immigrant visa, and will be subject to the same requirements as all other visa applicants. As with all applicants, former LPRs will be required to demonstrate that they do not intend to immigrate to the United States. This may include showing strong family, social, or economic connections to a residence outside of the United States, as well as proof that they only intend to stay in the United States temporarily.

Surrendering a Green Card does not automatically entitle an applicant to a visa, nor will it prevent an applicant from obtaining one. The fact that you have abandoned your LPR status is not a factor in the adjudication process, though your reasons for abandoning your residency may factor into your application and your ability to overcome immigrant intent, as defined by U.S. immigration law. During your interview, you should be prepared to discuss with the officer your reasons for abandoning your LPR status, your ties to Jamaica, and your proposed purpose of travel to the United States.

It is also important to remember that all applicants, including former LPRs, must pay the US\$131 visa application fee at a participating National Commercial Bank, and bring a “fee paid” receipt to the Embassy at the time of your appointment. Application fees are not transferrable to another applicant, and your “fee paid” receipt must be in your name and presented with your application.

If you have additional questions about permanent residency, Green Cards, or U.S citizenship, we encourage you to visit the U.S. Citizenship and Immigration Service’s website at: [www.uscis.gov](http://www.uscis.gov). For any visa-related questions, and instructions on making an appointment for a nonimmigrant visa interview, please visit U.S. Embassy Kingston’s website at <http://kingston.usembassy.gov/> and choose “Visas to the U.S.” from the top menu.